

EXHIBIT A

**PLAINTIFF GEOTAG INC.'S PROPOSED CLAIM
CONSTRUCTIONS AND SUPPORTING CITATIONS**

Pursuant to Patent Rule 4-3 and the Court's Order on August 31, 2012, Plaintiff GeoTag Inc. ("GeoTag") submits the following table containing GeoTag's proposed constructions of disputed claim terms in U.S. Patent No. 5,930,474 ("the '474 patent"), together with an identification of supporting intrinsic and extrinsic evidence currently known to GeoTag on which it intends to rely. In view of the Federal Circuit's precedent regarding the relevance of the claims, specification, and prosecution history to claim construction, GeoTag reserves the right to rely on the language of the claims of the '474 patent, the entire specification of the '474 patent, the prosecution history of the '474 patent, and all prior art references cited in the prosecution of the application that led to the '474 patent. Similarly, GeoTag reserves the right to rely on and cite to additional intrinsic and extrinsic evidence to rebut and respond to evidence submitted by defendants.

These claim terms, phrases, and clauses for which GeoTag proposes constructions were previously construed by Magistrate Judge Everingham or agreed to by the parties in *GeoMas (Int'l) Ltd., et al. v. Idearc Media Services-West, Inc.*, Case. No. 2:06-CV-475, D.I. 110 (E.D. Tex. Nov. 20, 2008) ("Order"). GeoTag's proposed constructions rely on the evidence and opinion in the Order in support of its proposed claim constructions and are consistent with that Order.

**GEOTAG'S PROPOSED CLAIM CONSTRUCTIONS OF DISPUTED TERMS
IN U.S. PATENT NO. 5,930,474 AND SUPPORTING EVIDENCE**

I. Terms Proposed By Both GeoTag and Defendants

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
“hierarchy of geographical areas” (claims 1, 20, and 26)	“an arrangement of related information or data, ordered from broader general categories to narrower specific ones”	‘474 Patent at Col. 3:46-56; Col. 3:15-25; Col. 3:45-65; Col. 8:22-36; Col. 8:49 – Col. 9:4; Col. 9:28-34; Col. 12:23-32; Col. 27:27 - Col. 28:7; Col. 38:63-39:5; Col. 39:62-64; Col. 40:59-60. <i>See “hierarchy” and “hierarchically organized”</i>
“wherein said geographical areas are hierarchically organized” (claim 32)	“an arrangement of related information or data, ordered from broader general categories to narrower specific ones”	‘474 Patent at Col. 3:46-56; Col. 3:15-25; Col. 3:45-65; Col. 8:22-36; Col. 8:49 – Col. 9:4; Col. 9:28-34; Col. 12:23-32; Col. 27:27 - Col. 28:7; Col. 38:63-39:5; Col. 39:62-64; Col. 40:59-60. <i>See “hierarchy” and “hierarchically organized”</i>
“database” (claims 1, 20, 26, 31)	“a collection of information or data organized such that a computer program	‘474 Patent at Figs. 2-8, 13-18; Col. 8:59-62; Col. 9:5-8; Col. 10:53-56; Col. 13:54-

¹ GeoTag's proposed constructions are consistent with the constructions of the same terms by Magistrate Judge Everingham or agreed to by the parties in *GeoMas (Int'l) Ltd., et al. v. Idearc Media Services-West, Inc.*, Case No. 2:06-CV-475, D.I. 110 (E.D. Tex. Nov. 20, 2008).

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
	can quickly retrieve selected information or data”	<p>61,64-67; Col. 18:18-58; Col. 18:59- Col. 19:9; Col. 20:44-65; Col. 23:13-28; Col. 24:28-39; Col. 28:19-23; Tables 6-9.</p> <p><u>Extrinsic Evidence:</u> Random House Personal Computer Dictionary (2d ed. 1996) at 126 ("database" means "(1) A collection of information organized in such a way that a computer program can quickly select desired pieces of data. You can think of a database as an electronic filing system."). IBM Dictionary of Computing (1994) at 165 ("database" means "(1) A collection of data with a given structure for accepting, storing, and providing, on demand, data for multiple users.").</p>
#1 “a database of information organized into a hierarchy of geographical areas” (claim 1); #2 “said database of information organized into a predetermine hierarchy of geographical areas” (claim 20);	#1 “a collection of interrelated information or data organized such that a computer program can quickly retrieve selected information or data, ordered from broader geographical categories to narrower geographical categories” #2 “a collection of interrelated information or data organized such that a computer program can quickly retrieve selected information or data, ordered from broader	‘474 Patent at Figs. 2-8, 13; Col. 3:15-25,44-65; Col. 7:21-29; Col. 8:22-36; Col. 8:49-9:4; Col. 9:31-34; Col. 11:49- Col. 12:45; Col. 13:7-34, 54-60; Col. 14:51- Col. 15:25; Col. 18:55-58; Col. 18:59-20:43; Col. 23:16-21; Col. 27:27- Col. 28:7; Col. 28:16-21; Col. 38:63-39:5; Col. 39:62-64; Col. 40:59-60.

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
	geographical categories to narrower geographical categories that are decided or established in advance”	
“organizing a database of on-line information into a plurality of geographic areas” (claim 31)	“organizing a collection of information that is capable of being accessed by a computer into more than one geographical area”	‘474 Patent at Col. 2:49-52; Col. 4:13-23, 29-30; Col. 5:42-47; Col. 13:6- Col. 14:13; Col. 40:40-58.
“organizer” (claim 1)	“software, hardware, and/or firmware, that alone or in combination is configured to receive search requests, together with a database and a search engine in communication with the database”	‘474 Patent at Abstract; Fig. 1, box 114; Figs. 2-8, 15; Col. 1:7-8; Col. 2:25-33, 42-58; Col. 2:67- Col. 3:13; Col. 4:1-13; Col. 5:42-46; Col. 6:54- 57; Col. 7:5-29; Col. 7:53- Col. 8:11; Col. 9:55-67; Col. 11:1-10, Col. 11:20- Col. 12:10; Col. 12:53-59; Col. 13:20-50; Col. 14:2-27; Col. 14:39- Col. 15:52; Col. 15:67- Col. 16:37; Col. 16:67-17:47; Col. 18:16-58; Col. 22:39- Col. 23:3; Col. 38:36-58; Col. 40:14-27.
“on-line information” (claim 31)	“information capable of being accessed by a computer”	<p>‘474 Patent at Fig. 1; Col. 1:13-23; Col. 1:66- Col. 2:11; Col. 2:21-22; Col. 4:13-40; Col. 5:66- Col. 6:14; Col. 40:40-56.</p> <p><u>Extrinsic Evidence:</u> Webster's II New College Dictionary (1995) at 765 (“on-line” means “1 c. accessible by means of a computer network”).</p>
“entry” / “entries” (claims 1, 20, 26, and	“data contained in a database”	‘474 Patent at Figs. 13-17; Col. 11:30-

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
31)		<p>33,53-54, 58-64; Col. 11:65- Col. 12:6; Col. 14:51- Col. 15:14; Col. 17:13-35; Col. 18:59-19:9; Col. 19:29-39; Col. 19:46-63; Col. 20:44-65; Col. 22:28-23:3; Col. 23:13-29; Col. 24:30-31; Col. 26:47-27:26; Col. 39:34- 37; Col. 40:8-10, 27-31; Col. 40:65-67; Tables 6-9;</p> <p>Pros. History: August 7, 1998 Response to Office Action Dated February 10, 1998 at pp. 2-5.</p>
<p>#1 “entries corresponding to each one of said hierarchy of geographical areas is further organized into topics” (claim 1);</p> <p>#2 “entries corresponding to each of said hierarchy of geographical area is further organized into topics” (claim 20);</p> <p>#3 “organizing said entries corresponding to said plurality of geographical areas into one or more topics” (claim 31).</p>	<p>#1, #2: “data in the database associated with a geographic area in the hierarchy of geographical areas is further organized to permit selected data to be retrieved into topics”</p> <p>#3: “organizing data contained in the database corresponding to one or more geographical areas to further permit selected data to be retrieved into one or more topics”</p>	<p>‘474 Patent at Figs. 13-17; Col. 2:42-57; Col. 7:21-29; Col. 11:65- Col. 12:6; Col. 14:51- Col. 15:14; Col. 17:13-35; Col. 18:59- Col. 19:9; Col. 19:29- 39; Col. 19:46-63; Col. 20:44-65; Col. 22:28- Col. 23:3; Col. 23:13-29; Col. 26:47- Col. 27:26; Col. 38:44-47; Col. 39:34- 38,48-51; Col. 40:18-20, 48-49; Tables 6-9.</p> <p><i>See</i> “entries;” “hierarchy;” and “hierarchy of geographical areas.”</p>
“geographical search area” (claims 1, 20, and 31)	“the particular selected geographical area for which the associated data records in the database are to be searched”	‘474 Patent at Figs. 3-8; Col. 2:42-52 Col. 3:12-14,60-65; Col. 4:10-12; Col. 5:47-65; Col. 7:5-34; Col. 9:14-27,45-54; Col. 10:64- Col. 11:1; Col. 11:34-64; Col. 13:20-50,54-64; Col. 14:2-45; Col. 14:51-

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
“dynamically replicated” and “dynamically replicating” (claims 1, 20, 26, and/or 31)	“automatically copying or inheriting, at the time needed rather than at a time decided or established in advance”	Col. 15:14; Col. 15:64-66; Col. 16:17-26; Col. 22:6-27.
		<p>‘474 Patent at Figs. 13, 15; Col. 12:23-32,40-45; Col. 12:59- Col. 13:6; Col. 15:20-25; Col. 18:60- Col. 19:63; Col. 22:39- Col. 23:3; Col. 23:20-39, 47-51.</p> <p>Pros. History: 7/28/1998 USPTO Interview Summary; 12/21/1998 Notice of Allowance at p. 3.</p> <p><u>Extrinsic Evidence:</u> Random House Personal Computer Dictionary (2d ed. 1996) at 126 ("dynamic" means "Refers to actions that take place at the moment they are needed rather than in advance.").</p>
<p>“wherein within said hierarchy of geographic areas at least one of said entries associated with a broader geographical area is dynamically replicated into at least one narrower geographical area” (claim 1);</p> <p>“wherein at least one of said entries in said geographical area of relatively larger expanse is dynamically replicated into at least one of said geographical areas of smaller expanse”</p>	#1: “wherein within the hierarchy of geographical areas, at the time needed rather than at a time decided or established in advance, at least a piece of data in a database associated with a broader geographical area is automatically copied or inherited into at least one narrower geographical area”	<p>‘474 Patent at Figs. 13-17; Col. 2:59-62; Col. 11:33- Col. 12:10; Col. 12:23-32,40-45; Col. 12:59- Col. 13:6; Col. 14:19- Col. 15:14; Col. 15:20-25; Col. 17:13-35; Col. 18:50- Col. 19:63; Col. 20:44-65; Col. 22:28- Col. 23:3; Col. 23:13-39; Col. 23:47-51; Col. 24:15-27; Col. 26:47-27:26; Tables 6-9;</p> <p>Pros. Hist.: 7/28/1998 Interview Summary</p>

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ¹	Evidence
TERMS PROPOSED BY BOTH GEOTAG AND DEFENDANTS		
(claim 20)		
“dynamically replicating an entry from broader geographical area into said geographic search area” (claim 31)	“automatically copying or inheriting, at the time needed rather than at a time decided or established in advance, at least a piece of data contained in a database that is associated with a broader geographical area into an area from which topical information can be accessed that is a subset of that broader geographical area”	‘474 Patent at Figs. 13-17; Col. 2:59-62; Col. 11:33- Col. 12:10; Col. 12:23-32, 40-45; Col. 12:59- Col. 13:6; Col. 14:19- Col. 15:14; Col. 15:20-25; Col. 17:13-35; Col. 18:50- Col. 19:39; Col. 19:46-63; Col. 20:44- Col. 17:13-35; Col. 18:50- Col. 19:39; Col. 19:46-63; Col. 20:44- 65; Col. 22:28- Col. 23:3; Col. 23:13-39; Col. 23:47-51; Col. 24:15-27; Col. 26:47- Col. 27:26; Tables 6-9.

II. Terms Proposed By GeoTag

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ²	Evidence
TERMS PROPOSED BY GEOTAG		
“hierarchy” (claims 1, 5, 20, 26, 32, and 35);	“an arrangement of related information or data, ordered from broader general categories to narrower specific ones”	‘474 Patent at Col. 3:46-56; Col. 3:15-25; Col. 3:45-65; Col. 8:22-36; Col. 8:49 – Col. 9:4; Col. 9:28-34; Col. 12:23-32; Col. 27:27 - Col. 28:7; Col. 38:63-39:5; Col. 39:62-64; Col. 40:59-60.
“hierarchically organized” (claim 32)		

² GeoTag's proposed constructions are consistent with the constructions of the same terms by Magistrate Judge Everingham or agreed to by the parties in *GeoMas (Int'l) Ltd., et al. v. Idearc Media Services-West, Inc.*, Case. No. 2:06-CV-475, D.I. 110 (E.D. Tex. Nov. 20, 2008).

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ²	Evidence
TERMS PROPOSED BY GEOTAG		
“search engine” (claims 1, 20, and 31)	“software, hardware, and/or firmware that alone or in combination receives search requests and fulfills the received requests through interaction with a database”	'474 Patent at Col. 2:8-15; Col. 3:5-15,58-65; Col. 4:8-13; Col. 11:20-33; Col. 11:34- Col. 12:10; Col. 12:53-59; Col. 13:20-50,54-60; Col. 14:14-27; Col. 14:45- Col. 15:52; Col. 15:54-56; Col. 15:67- Col. 16:37; Col. 17:13-47; Col. 18:10-58; Col. 22:39- Col. 23:3.
“said search engine further configured to select one of said hierarchy of geographical areas prior to selection of a topic so as to provide a geographical search area” (claim 1)	“that the software, hardware and/or firmware, alone or in combination, that receives search requests and fulfills the received requests through interaction with a database is configured to select one of the hierarchy of geographical areas prior to the selection of a topic so as to define an area from which topical information can be accessed that is a subset of the entire domain of geography”	'474 Patent at Col. 2:63- Col. 3:14, Col. 3:60- Col. 4:23; Col. 7:5-29; Col. 9:5- 27; Col. 11:53-64; Col. 12:53-59; Col. 13:27-31; Col. 14:2- 13; Col. 18:10-58; Col. 38:47-58
“said search engine configured to select at least one geographical area in said hierarchy of geographical areas so as to define a geographical search area” (claim 20)	“the software, hardware and/or firmware, alone or in combination, that receives search requests and fulfills the received requests through interaction with a database is configured to select one of the hierarchy of geographical areas so as to define an area from which topical information can be accessed that is a subset of the entire domain of geography”	'474 Patent at Col. 3:45-65; Col. 7:5-30; Col. 13:20-34; Col. 22:9-27; Pros. History: August 7, 1998 Response to Office Action Dated February 10, 1998 at pp. 4-5.

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction ²	Evidence
TERMS PROPOSED BY GEOTAG		
“directing a search engine executing in a computer to select one or more of said geographical areas so as to select a geographical search area” (claim 31)	“directing software, hardware, and/or firmware executing in a computer, alone or in combination to select one or more geographical areas so as to select an area from which topical information can be accessed that is a subset of the entire domain of geography”	<p>‘474 Patent at Col. 4:18-23; Col. 7:5-30; Col. 12:59-61; Col. 13:20-34,54- 61; Col. 22:9-27; Col. 40:40-56;</p> <p>Pros. History: August 7, 1998 Response to Office Action Dated February 10, 1998 at p. 5.</p>
“replicated” and “replicating” (claims 1, 20, 26, and/or 31)	“copying or inheriting”	‘474 Patent at col. 19:29-39; col. 19:46-63; col. 22:32-38

III. Terms Proposed By Defendants

Disputed Claim Term, Phrase or Clause	GeoTag's Proposed Claim Construction	Evidence
TERMS PROPOSED BY DEFENDANTS		
“data records” (claims 18, 24, 25, 36, and 38)	This language does not require construction.	
“topics” and/or “topic” and/or “topically” (claims 1, 18, 20, 24, 31, 34, 36, 37, and 38) (3a)	This language does not require construction.	‘474 Patent at Fig. 2B; Col. 5: 47-65; Col. 9:10-67; Col. 10:19-30; Col. 15:26-53; Col. 23:40-45
“narrower geographical area” and/or “geographical area of relatively smaller expanse” (claims 1, 20)	This language does not require construction.	‘474 Patent at Col. 3:49-56.
“broader geographical area” and/or “geographical area of relatively larger expanse” (claims 1, 20, 31)	This language does not require construction.	‘474 Patent at Col. 3:49-56.